

43:16A-10

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:16A-10

(PFRS & SPRS  
members who die  
in line of duty--  
state to pay  
health insurance  
premiums for  
dependents)

LAWS OF: 1989

CHAPTER: 271

Bill No: S885

Sponsor(s): Jackman

Date Introduced: Pre-filed

Committee: Assembly: State Government

Senate: State Government

Amended during passage: No

Date of Passage: Assembly: December 11, 1989

Senate: March 2, 1988

Date of Approval: January 8, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

## P.L.1989, CHAPTER 271, approved January 8, 1990

1988 Senate No. 885

1 **AN ACT** concerning the payment of health insurance premiums  
2 for dependents of certain law enforcement officers and  
3 firefighters killed in the line of duty and amending P.L.1944,  
4 c.255 and P.L.1965, c.89.

5

6 **BE IT ENACTED** by the Senate and General Assembly of the  
7 *State of New Jersey*:

8 1. Section 10 of P.L.1944, c.255 (C.43:16A-10) is amended to  
9 read as follows:

10 10. (1) Upon the death of a member in active service as a  
11 result of an accident met in the actual performance of duty at  
12 some definite time and place, and such death was not the result  
13 of the member's willful negligence, an accidental death benefit  
14 shall be payable if a report of the accident is filed in the office  
15 of the retirement system within 60 days next following the  
16 accident, but the board of trustees may waive such time limit,  
17 for a reasonable period, if in the judgment of the board the  
18 circumstances warrant such action. No such application shall be  
19 valid or acted upon unless it is filed in the office of the  
20 retirement system within five years of the date of such death.

21 (2) Upon the receipt of proper proofs of the death of a  
22 member on account of which an accidental death benefit is  
23 payable, there shall be paid to his widow or dependent widower a  
24 pension of 70% of the compensation, upon which contributions  
25 by the member to the annuity savings fund were based in the  
26 last year of creditable service, for the use of herself or himself  
27 and the children of the deceased member, to continue during her  
28 or his widowhood; if there is no surviving widow or dependent  
29 widower or in case the widow or dependent widower dies or  
30 remarries, 20% of such compensation will be payable to one  
31 surviving child, 35% of such compensation to two surviving  
32 children in equal shares and if there be three or more children,  
33 50% of such compensation will be payable to such children in  
34 equal shares.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 If there is no surviving widow, dependent widower or child,  
2 25% of the compensation upon which contributions by the  
3 member to the annuity savings fund were based in the last year  
4 of creditable service, will be payable to one surviving dependent  
5 parent or 40% of such compensation will be payable to two  
6 surviving parents in equal shares.

7 In the event of accidental death occurring in the first year of  
8 creditable service, the benefits, payable pursuant to this  
9 subsection, shall be computed at the annual rate of  
10 compensation.

11 (3) If there is no surviving widow, dependent widower, child or  
12 dependent parent, there shall be paid to any other beneficiary of  
13 the deceased member, his aggregate contributions at the time of  
14 death.

15 (4) In no case shall the death benefit provided in subsection (2)  
16 be less than that provided under subsection (3).

17 (5) In addition to the foregoing benefits payable under  
18 subsection (2) or (3), there shall also be paid in one sum to such  
19 beneficiary, if living, as the member shall have nominated by  
20 written designation duly executed and filed with the retirement  
21 system, otherwise to the executor or administrator of the  
22 member's estate, an amount equal to 3 1/2 times the  
23 compensation upon which contributions by the member to the  
24 annuity savings fund were based in the last year of creditable  
25 service.

26 (6) In addition to the foregoing benefits, the State shall pay to  
27 the member's employer-sponsored health insurance program all  
28 health insurance premiums for the coverage of the member's  
29 surviving widow or dependent widower and dependent children.

30 (cf: P.L.1987, c.128, s.3)

31 2. Section 14 of P.L. 1965, c. 89 (C. 53:5A-14) is amended to  
32 read as follows:

33 14. a. Upon the death of a member in active service as a  
34 result of an accident met in the actual performance of duty at  
35 some definite time and place, and such death was not the result  
36 of the member's willful negligence, an accidental death benefit  
37 shall be payable if a report of the accident is filed in the office  
38 of the Division of State Police within 60 days next following the  
39 accident, but the board of trustees may waive such time limit,  
40 for a reasonable period, if in the judgment of the board the

1 circumstances warrant such action. No such application shall be  
2 valid or acted upon unless it is filed in the office of the  
3 retirement system within 5 years of the date of such death.

4 b. Upon the receipt of proper proofs of the death of a  
5 member on account of which accidental death benefit is  
6 payable, there shall be paid to the surviving spouse a pension of  
7 50% of final compensation for the use of that spouse and  
8 children of the deceased, to continue for so long as the person  
9 qualifies as a "surviving spouse" for the purposes of this act; if  
10 there is no surviving spouse or in case the spouse dies or  
11 remarries, 20% of final compensation will be payable to one  
12 surviving child, 35% of final compensation to two surviving  
13 children in equal shares and if there be three or more children,  
14 50% of final compensation will be payable to such children in  
15 equal shares.

16 If there is no surviving spouse or child, 25% of final  
17 compensation will be payable to one surviving parent or 40% of  
18 final compensation will be payable to two surviving parents in  
19 equal shares.

20 In the event of accidental death occurring in the first year of  
21 creditable service, the benefits, payable pursuant to this  
22 subsection, shall be computed at the annual rate of  
23 compensation.

24 c. If there is no surviving spouse, child or parent, there shall  
25 be paid to any other beneficiary of the deceased member, his  
26 aggregate contributions at the time of death.

27 d. In no case shall the death benefits provided in subsection b.  
28 be less than that provided under subsection c.

29 e. In addition to the foregoing benefits payable under  
30 subsection a. or b., there shall also be paid in one sum to the  
31 member's beneficiary, an amount equal to 3 1/2 times final  
32 compensation.

33 f. (Deleted by amendment.)

34 g. (Deleted by amendment.)

35 h. In addition to the foregoing benefits, the State shall pay to  
36 the member's employer-sponsored health insurance program all  
37 health insurance premiums for the coverage of the member's  
38 surviving spouse and surviving children.

39 (cf: P.L.1985, c.355, s.3)

1       **3. This act shall take effect immediately and shall apply to**  
2 **the payment of health insurance premiums of the surviving**  
3 **spouse and children of any member on whose behalf an**  
4 **accidental death benefit is payable pursuant to section 10 of**  
5 **P.L.1944, c.255 (C.43:16A-10) or section 14 of P.L.1965, c.89**  
6 **(C.53:5A-14).**

7

8

9

**PENSIONS AND RETIREMENT**

10

**Police Officers**

11

12 **Provides that State shall pay health insurance premiums of**  
13 **surviving spouse and dependent children of PFRS and SPRS**  
14 **members who die in line of duty.**



ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 885

STATE OF NEW JERSEY

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DATED: OCTOBER 2, 1989

The Assembly State Government Committee reports favorably Senate, No. 885.

This bill provides that the State shall pay the health insurance premiums of the surviving spouse and dependent children of members of the Police and Firemen's Retirement System and the State Police Retirement System who die in active service as the direct result of an accident met in the performance of duty. At present, these dependents may continue their health insurance at group rates but must pay the premium themselves.

SENATE STATE GOVERNMENT, FEDERAL  
AND INTERSTATE RELATIONS AND  
VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 885  
STATE OF NEW JERSEY

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DATED: FEBRUARY 23, 1989

The Senate State Government, Federal and Interstate Relations and Veterans' Affairs Committee reports favorably Senate Bill No. 885.

This bill provides that the State shall pay the health insurance premiums of the surviving spouse and dependent children of members of the Police and Firemen's Retirement System and the State Police Retirement System who are killed in the line of duty. At present, these dependents may continue their health insurance coverage at group rates but must pay the premium.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.